DECLARATION OF DAVID T. MCDONALD IN SUPPORT OF DEMOCRATIC PARTY'S OPPOSITION TO STATE'S MOTION IN LIMINE AND/OR CONTINUANCE - 1 CV05-0927 JCC

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K&L GATES LLP
925 FOURTH AVENUE
SUITE 2900
SEATTLE, WASHINGTON 98104-1158
TELEPHONE: (206) 623-7580
FACSIMILE: (206) 623-7022

I, David T. McDonald, hereby declare as follows:

- 1. I am counsel for the Washington State Democratic Central Committee in this matter.
- 2. Attached as Exhibit 1 is a true and correct copy of a printout of "Candidates on the Ballot", a web page provided by King County Elections online to voters. I accessed this page on October 11, 2010. I reached the page by accessing the main King County Elections web page at http://www.kingcounty.gov/elections.aspx. On that page, I clicked a link labeled: "Download and view the print edition of the voter's pamphlet." After clicking that link, I was sent to a page at http://www.kingcounty.gov/elections/elections/201011/voterspamphlet.aspx#print. On this page, I saw a link near the top titled: "Candidates on the Ballot." Upon clicking that link, I was sent to Exhibit 1.
- 3. Returning to the web page which had sent me to Exhibit 1, I saw a link that read: "Use Your Voter Guide to create a custom sample ballot." Attached as <u>Exhibit 2</u> is a true and correct copy of the custom sample ballot displayed to me by King County Elections after I provided my name and address. I have redacted my home address from the exhibit.
- 4. Attached as Exhibit 3 is a true and correct copy of the General Election Online Voter's Guide provided to me by the Secretary of State's website when I clicked on a bold-faced link entitled "2010 General Election Voter's Guide" on the Secretary of State's "Elections and Voting" webpage (http://www.sos.wa.gov/elections/). Exhibit 3 is the result of clicking "Expand All" and scrolling past the State Measures to the Federal and Congressional candidates.
- 5. Attached as Exhibit 4 is a true and correct copy of the personalized voter guide that I received from the Secretary of State's website after clicking on the following icon found on the main "Elections and Voting" webpage:



The icon is captioned "your personalized voter information." After clicking on the icon, I was asked to provide my name and birthdate. After doing so,` a page was displayed which had, among other things, an expandable area entitled "Voter's Pamphlet." Exhibit 4 is the result of clicking on the "Voter's Pamphlet" icon. In this instance I have redacted my birthdate.

I declare under penalty of perjury that the foregoing is true and correct:

EXECUTED this 12th day of October, 2010 at Seattle, Washington.

David T. McDonald

DECLARATION OF DAVID T. MCDONALD IN SUPPORT OF DEMOCRATIC PARTY'S OPPOSITION TO STATE'S MOTION IN LIMINE AND/OR CONTINUANCE - 3 CV05-0927 JCC

CERTIFICATE OF SERVICE

I hereby certify that on October 12, 2010, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

s/ <u>David T. McDonald</u> David T. McDonald, wsba#5260

DECLARATION OF DAVID T. MCDONALD IN SUPPORT OF DEMOCRATIC PARTY'S OPPOSITION TO STATE'S MOTION IN LIMINE AND/OR CONTINUANCE - 4 CV05-0927 JCC

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Mailing address: 919 Southwest Grady Way Renton, WA 98057-2906

206-296-VOTE (8683) TTY: Relay: 711 FAX: 206-296-0108

Hours: Weekdays 8:30 a m - 4:30 p m

Candidates on the ballot

November 2, 2010 General Election

Candidates are in the order as they will appear on the ballot

Shortcuts:

FEDERAL | STATE | COUNTY | JUDICIAL | CITY

FEDERAL

United States Senator

partisan office **United States Representative** Jay Insiee (Prefers Democratic Party)

Congressional District No. 1 partisan office **United States Representative** Congressional District No. 2

partisan office United States Representative Congressional District No. 7

United States Representative Congressional District No. 8 partisan office

partisan office

United States Representative Congressional District No. 9 partisan office

Patty Murray (Prefers Democratic Party) Dino Rossi (Prefers Republican Party)

James Watkins (Prefers Republican Party)

John Koster (Prefers Republican Party) Rick Larsen (Prefers Democratic Party)

Jim McDermott (Prefers Democratic Party) Bob Jeffers-Schroder (Prefers Independent - No Party)

Dave Reichert (Prefers Republican Party) Suzan DelBene (Prefers Democratic Party)

Adam Smith (Prefers Democratic Party) Richard (Dick) Muri (Prefers Republican Party)

TOP

STATE

State Representative Legislative Dist No. 1 - Position 1

State Representative

partisan office State Representative

Legislative Dist No. 1 - Position 2 partisan office

Legislative Dist No. 5 - Position 1

State Representative Legislative Dist No. 5 - Position 2 partisan office

State Representative Legislative Dist No. 11 - Position 1 partisan office

State Representative Legislative Dist No. 11 - Position 2 partisan office

State Senator Legislative Dist No. 30 partisan office

State Representative Legislative Dist No. 30 - Position 1 partisan office

State Representative Legislative Dist No. 30 - Position 2 partisan office

State Senator Legislative Dist No. 31 partisan office

Derek Stanford (Prefers Democratic Party) Dennis Richter (Prefers Republican Party)

Heldi Munson (Prefers Republican Party) Luis Moscoso (Prefers Democratic Party)

Jay Rodne (Prefers Republican Party) Gregory Scott Hoover (Prefers Democratic Party)

Glenn Anderson (Prefers Republican Party) David Spring (Prefers Democratic Party)

Zack Hudgins (Prefers Democratic Party) Sarah Sanoy-Wright (States No Party Preference)

Bob Hasegawa (Prefers Democratic Party) John Potter (Prefers Republican Party)

Tracey Eide (Prefers Democratic Party) Tony Moore (Prefers Republican Party)

Mark Miloscia (Prefers Democratic Party) Shawn Sullivan (Prefers Republican Party)

Carol Gregory (Prefers Democratic Party) Katrina Asay (Prefers Republican Party)

Parn Roach (Prefers Republican Party) Matt Richardson (Prefers Republican Party)

State Representative	Cathy Dahlquist (Prefers Republican Party)
Legislative Dist No. 31 - Position 1 partisan office	Shawn Bunney (Prefers Republican Party)
State Representative	Christopher Hurst (Prefers Independent Dem.
Legislative Dist No. 31 - Position 2	Party)
partisan office	Patrick Reed (Prefers Republican Party)
State Senator Legislative Dist No. 32	Maralyn Chase (Prefers Democratic Party) David Baker (Prefers Republican Party)
partisan office	
State Representative	Cindy Ryu (Prefers Democratic Party)
Legislative Dist No. 32 - Position 1 partisan office	Art Coday (Prefers Republican Party)
State Representative	Ruth Kagi (Prefers Democratic Party)
Legislative Dist No. 32 - Position 2 partisan office	Gary (G) Gagliardi (Prefers Republican Party)
State Senator	Karen Keiser (Prefers Democratic Party)
Legislative Dist No. 33	Jack Michalek (Prefers Republican Party)
partisan office	
State Representative Legislative Dist No. 33 Position 1	Tina Orwall (Prefers Democratic Party)
partisan office	
State Representative Legislative Dist No. 33 - Position 2	Dave Upthegrove (Prefers Democratic Party)
partisan office State Senator	Sharon K. Nelson (Prefers Democratic Party)
Legislative Dist No. 34 partisan office	
State Representative	Elleen L. Cody (Prefers Democratic Party)
Legislative Dist No. 34 - Position 1 partisan office	Ray Carter (Prefers Reluctantly R. Party)
State Representative	Joe Fitzgibbon (Prefers Democratic Party)
Legislative Dist No. 34 - Position 2 partisan office	Mike Heavey (Prefers Democratic Party)
State Senator	Jeanne Kohl-Welles (Prefers Democratic Party)
Legislative Dist No. 36 partisan office	Leslie Klein (Prefers (R) Problemfixer Party)
State Representative	Reuven Carlyle (Prefers Democratic Party)
Legislative Dist No. 36 - Position 1 partisan office	
State Representative	Mary Lou Dickerson (Prefers Democratic Party)
Legislative Dist No. 36 - Position 2 partisan office	Jill England (Prefers Republican Party)
State Senator	Adam Kline (Prefers Democratic Party)
Legislative Dist No. 37	Tamra Smilanich (States No Party Preference)
partisan office	A STATE OF THE CONTROL OF THE CONTRO
State Representative	Sharon Tomiko Santos (Prefers Democratic
Legislative Dist No. 37 - Position 1 partisan office	Party)
State Representative	Eric Pettigrew (Prefers Democratic Party)
Legislative Dist No. 37 - Position 2	John Stafford (Prefers Democratic Party)
partisan office State Penresentative	Dan Krietianson (herian hambles hamb
State Representative Legislative Dist No. 39 - Position 1	Dan Kristiansen (Prefers Republican Party) Eleanor Walters (Prefers Democratic Party)
partisan office	
State Representative	Kirk Pearson (Prefers Republican Party)
Legislative Dist No. 39 - Position 2 partisan office	
State Senator	Steve Litzow (Prefers Republican Party)
Legislative Dist No. 41	Randy Gordon (Prefers Democratic Party)
unexpired 2-year term partisan office	
State Representative	Marcie Maxwell (Prefers Democratic Party)
Legislative Dist No. 41 - Position 1 partisan office	Peter Dunbar (Prefers Republican Party)
State Representative	Judy Clibborn (Prefers Democratic Party)
Legislative Dist No. 41 - Position 2 partisan office	Stephen Strader (Prefers Republican Party)
State Senator	Ed Murray (Prefers Democratic Party)
Legislative Dist No. 43	
partisan office State Representative	Jamie Pedersen (Prefers Democratic Party)

State Representative Legislative Dist No. 43 - Position 2 partisan office	Frank Chopp (Prefers Democratic Party) Kim Verde (Prefers Republican Party)
State Senator Legislative Dist No. 45 partisan office	Andy Hill (Prefers Republican Party) Eric Oemig (Prefers Democratic Party)
State Representative Legislative Dist No. 45 - Position 1 partisan office	Roger Goodman (Prefers Democratic Party) Kevin Haistings (Prefers Republican Party)
State Representative Legislative Dist No. 45 - Position 2 partisan office	Larry Springer (Prefers Democratic Party) Mark Isaacs (Prefers Republican Party)
State Senator Legislative Dist No. 46 partisan office	Scott White (Prefers Democratic Party)
State Representative Legislative Dist No. 46 - Position 1 partisan office	David Frockt (Prefers Democratic Party)
State Representative Legislative Dist No. 46 - Position 2 partisan office	Phyllis G. Kenney (Prefers Democratic Party) Beau Gunderson (States No Party Preference)
State Senator Legislative Dist No. 47 partisan office	Joe Fain (Prefers Republican Party) Claudia Kauffman (Prefers Democratic Party)
State Representative Legislative Dist No. 47 - Position 1 partisan office	Mark Hargrove (Prefers Republican Party) Geoff Simpson (Prefers Democratic Party)
State Representative Legislative Dist No. 47 - Position 2 partisan office	Pat Sullivan (Prefers Democratic Party) Rodrigo M. Yanez (Prefers Republican Party)
State Senator Legislative Dist No. 48 partisan office	Rodney Tom (Prefers Democratic Party) Gregg Bennett (Prefers Republican Party)
State Representative Legislative Dist No. 48 - Position 1 partisan office	Ross Hunter (Prefers Democratic Party) Diane Tebelius (Prefers Republican Party)
State Representative Legislative Dist No. 48 - Position 2 partisan office	Deb Eddy (Prefers Democratic Party) Philip L. Wilson (Prefers Republican Party)
	TO
COUNTY	
Prosecuting Attorney	Dan Satterberg (Prefers Republican Party)
partisan office	

Joe McDermott

Diana Toledo

CI	ΤY

County Council

County Council District No. 8

unexpired 1-year term nonpartisan office

City of Federal Way Mayor initial 3-year term nonpartisan office	Skip Priest Jim Ferrell
Seattle Municipal Court Judge Position No. 1 nonpartisan office	Edsonya Charles Ed McKenna
Seattle Municipal Court Judge Position No. 2 nonpartisan office	C. Kimi Kondo
Seattle Municipal Court Judge Position No. 3 nonpartisan office	Steve Rosen
Seattle Municipal Court Judge Position No. 4 nonpartisan office	Judith Hightower
Seattle Municipal Court Judge Position No. 5 nonpartisan office	Willie Gregory

Judge Position No. 6 nonpartisan office	Michael Salvador Hurtado
Seattle Municipal Court Judge Position No. 7. nonpartisan office	Fred Bonner
And the second s	то
JUDICIAL	
State Supreme Court Justice Position No. 1 nonpartisan office	Jim Johnson
State Supreme Court Justice Position No. 5 nonpartisan office	Barbara Madsen
State Supreme Court Justice Position No. 6 nonpartisan office	Richard B. Sanders Charlie Wiggins
Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1 nonpartisan office	C. Kenneth Grosse
Court of Appeals, Division No. 1, District No. 1 Judge Position No. 2	Michael Spearman
unexpired 1-year term nonpartisan office	
District Court Northeast Electoral District Judge Position No. 1 nonpartisan office	Janet E. Garrow
District Court Northeast Electoral District Judge Position No. 2 nonpartisan office	
District Court Northeast Electoral District Judge Position No. 3 nonpartisan office	Linda Jacke
District Court Northeast Electoral District Judge Position No. 4 nonpartisan office	
District Court Northeast Electoral District Judge Position No. 5 nonpartisan office	
District Court Northeast Electoral District Judge Position No. 6 short and full term	John L. O'Brien Michael Finkle
District Court Northeast Electoral District Judge Position No. 7 short and full term nonpartisan office	
District Court Shoreline Electoral District Judge Position No. 1 nonpartisan office	Douglas J. Smith
District Court Shoreline Electoral District Judge Position No. 2 short and full term nonpartisan office	Marcine Anderson Dennis J. McCurdy
District Court Southeast Electoral District Judge Position No. 1 nonpartisan office	Charles J. Delaurenti, II
District Court Southeast Electoral District Judge Position No. 2 nonpartisan office	Darrell E. Phillipson David Meyer
District Court Southeast Electoral District Judge Position No. 3	
District Court Southeast Electoral District	
Judge Position No. 4 nonpartisan office	

District Court Southeast Electoral District Matt Williams Judge Position No. 6 David Tracy short and full term nonpartisan office District Court Southwest Electoral District David M. Christie Judge Position No. 1 nonpartisan office District Court Southwest Electoral District Susan Mahoney Judge Position No. 2 Judith R. Eller nonpartisan office District Court Southwest Electoral District Vickl M. Seltz Judge Position No. 3 nonpartisan office District Court Southwest Electoral District D. Mark Eide Judge Position No. 4 nonpartisan office District Court Southwest Electoral District Elizabeth D. Stephenson Judge Position No. 5 nonpartisan office **District Court West Electoral District** Barbara Linde

Judge Position No. 1

nonpartisan office

District Court West Electoral District Mark C. Chow

Judge Position No. 2

nonpartisan office

District Court West Electoral District Art Chapman

Judge Position No. 3

nonpartisan office

District Court West Electoral District Elleen A. Kato

Judge Position No. 4

nonpartisan office

District Court West Electoral District Anne C. Harper Judge Position No. 5 short and full term

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nonpartisan office

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Voter Guide Lookup

November 2, 2010 General Election

Your registration information

DAVID MCDONALD

New Search

You must be registered to vote at the place you reside. To update this information, call 206-296-VOTE.

Your precinct

Precinct #: SEA 46-2099

This is an all mail election. Return your ballot by mail or drop it off at a ballot drop box location.

 If you have moved or legally changed your name call 206-296-VOTE.

View Congressional, Legislative and County Council maps

Your districts

You are eligible to vote in the following districts for this election:

- CITY OF SEATTLE
- METROPOLITAN KING COUNTY
- CONGRESSIONAL DISTRICT NO. 7
- WEST ELECTORAL DISTRICT
- LEGISLATIVE DISTRICT NO. 46
- SEATTLE SCHOOL DISTRICT NO. 1

Your candidates and measures

Shortcuts:

FEDERAL | STATE | COUNTY | CITY | JUDICIAL | MEASURES

FEDERAL

United States Senator	Murray, Patty (Prefers Democratic Party)
	Rossi, Dino (Prefers Republican Party)
partisan office	
United States Representative	McDermott, Jim (Prefers Democratic Party)
Congressional District No. 7	Jeffers-Schroder, Bob (Prefers Independent - No Party)
nartican office	

STATE

State Senator Legislative Dist No. 46 partisan office

State Representative Legislative Dist No. 46 - Position 1

partisan office

State Representative Legislative Dist No. 46 - Position 2

partisan office

White, Scott (Prefers Democratic Party)

Frockt, David (Prefers Democratic Party)

Kenney, Phyllis G. (Prefers Democratic Party) Gunderson, Beau (States No Party Preference)

TOP

COUNTY

partisan office	ТО
CITY	
Seattle Municipal Court	Charles, Edsonya
Judge Position No. 1	McKenna, Ed
nonpartisan office	
Seattle Municipal Court	Kondo, C. Kimi
Judge Position No. 2	
nonpartisan office	Docon Stavo
Seattle Municipal Court Judge Position No. 3	Rosen, Steve
nonpartisan office	
Seattle Municipal Court	Hightower, Judith
Judge Position No. 4	
nonpartisan office	
Seattle Municipal Court	Gregory, Willie
Judge Position No. 5 nonpartisan office	
Seattle Municipal Court	Donohue, Karen
Judge Position No. 6	Hurtado, Michael Salvador
nonpartisan office	<u>'</u>
Seattle Municipal Court	Bonner, Fred
Judge Position No. 7 nonpartisan office	
·	
JUDICIAL	·
State Supreme Court Justice Position No. 1 nonpartisan office	Johnson, Jim
State Supreme Court Justice Position No. 5	Madsen, Barbara
nonpartisan office	
State Sunreme Court	Sanders Richard B
Justice Position No. 6	Sanders, Richard B. Wiggins, Charlie
Justice Position No. 6 nonpartisan office Court of Appeals, Division No. 1, District	Sanders, Richard B. Wiggins, Charlie
Justice Position No. 6 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1	Sanders, Richard B. Wiggins, Charlie
Justice Position No. 6 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1 nonpartisan office Court of Appeals, Division No. 1, District No. 1	Sanders, Richard B. Wiggins, Charlie Grosse, C. Kenneth
Justice Position No. 6 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 2	Sanders, Richard B. Wiggins, Charlie Grosse, C. Kenneth Spearman, Michael
Justice Position No. 6 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 2 unexpired 1-year term, nonpartisan office	Sanders, Richard B. Wiggins, Charlie Grosse, C. Kenneth Spearman, Michael
Justice Position No. 6 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 2 unexpired 1-year term, nonpartisan office District Court West Electoral District Judge Position No. 1	Sanders, Richard B. Wiggins, Charlie Grosse, C. Kenneth Spearman, Michael
Justice Position No. 6 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 2 unexpired 1-year term, nonpartisan office District Court West Electoral District Judge Position No. 1 nonpartisan office	Sanders, Richard B. Wiggins, Charlie Grosse, C. Kenneth Spearman, Michael Linde, Barbara
Justice Position No. 6 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 2 unexpired 1-year term, nonpartisan office District Court West Electoral District Judge Position No. 1 nonpartisan office District Court West Electoral District Judge Position No. 1	Sanders, Richard B. Wiggins, Charlie Grosse, C. Kenneth Spearman, Michael Linde, Barbara Chow, Mark C.
Court of Appeals, Division No. 1, District No. 1 Judge Position No. 1 nonpartisan office Court of Appeals, Division No. 1, District No. 1 Judge Position No. 2 unexpired 1-year term, nonpartisan office District Court West Electoral District Judge Position No. 1 nonpartisan office District Court West Electoral District Judge Position No. 2 nonpartisan office District Court West Electoral District Judge Position No. 2 nonpartisan office District Court West Electoral District Judge Position No. 3	Sanders, Richard B. Wiggins, Charlie Grosse, C. Kenneth Spearman, Michael Linde, Barbara

District Court West Electoral District Harper, Anne C. Judge Position No. 5 short and full term, nonpartisan office TOP **MEASURES** Initiative Measure No. 1053 YES NO Initiative Measure No. 1082 YES NO Initiative Measure No. 1098 YES NO Initiative Measure No. 1100 YES NO Initiative Measure No. 1105 YES NO Initiative Measure No. 1107 YES NO Referendum Bill No. 52 **APPROVED** REJECTED Amendment to the State Constitution **APPROVED** Senate Joint Resolution No. 8225 REJECTED Amendment to the State Constitution **APPROVED Engrossed Substitute House Joint** REJECTED Resolution No. 4220 YES Charter Amendment No. 1 Amendments to the Preamble NO Charter Amendment No. 2 YES Amendment of Section 690 - Campaign NO **Finance** Charter Amendment No. 3 YES Amendment of Section 890 and New NO Section 897 - Collective Bargaining

APPROVED

REJECTED

YES

NO

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Proposition No. 1

Proposition No. 1

Purposes

Sales and Use Tax for Criminal Justice,

Fire Protection, and Other Government

Seattle School District No. 1

Supplemental Operations Levy

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November 2, 2010 General Election

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State Measures

Federal

United States

U.S. Senator (View all)

(Partisan Office, 6-year term)

Patty Murray

(Prefers Democratic Party)

Dino Rossi

(Prefers Republican Party)

Congressional

Congressional District 1

U.S. Representative (View all)

(Partisan Office, 2-year term)

Jay Inslee

(Prefers Democratic Party)

James Watkins

(Prefers Republican Party)

Congressional District 2

U.S. Representative (View all)

(Partisan Office, 2-year term)

John Koster

(Prefers Republican Party)

Rick Larsen

(Prefers Democratic Party)

Congressional District 3

U.S. Representative (View all)

(Partisan Office, 2-year term)

Collapse all

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My Voter Registration Information (Hide Details...)

Name

MCDONALD, DAVID

Gender

Μ

Birth Date

Voter Status

Active

County

King

Change My Address

Voters' Pamphlet (Hide Details...)

Voters' Guide

State Measures

Federal

United States

U.S. Senator (View all)

(Partisan Office, 6-year term)

Patty Murray

(Prefers Democratic Party)

<u>Dino Rossi</u>

(Prefers Republican Party)

Congressional

CONGRESSIONAL DISTRICT NO. 7

U.S. Representative (View all)

(Partisan Office, 2-year term)

Jim McDermott

(Prefers Democratic Party)

Bob Jeffers-Schroder (Prefers Independent - No Party)

Legislative

Legislative District 46